

REMARKS

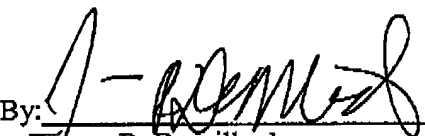
Claims 15-18 are in the application, with Claims 1-14 having previously been cancelled.

In an Official Action dated November 15, 2002, and having a one month period for response, the Examiner indicated that Claims 15-18, as filed in an Amendment dated September 26, 2002, were not readable on the elected invention. At the Examiner's suggestion, Applicant has amended Claim 15 to include limitations which were previously contained in the preamble. Claim 18 has also been amended to recite the role of the traction motor if certain conditions are met.

Applicants respectfully submit that as amended, Claims 15-18 are properly includable in this application.

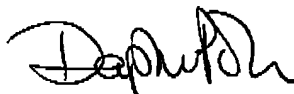
The previously cancelled claims stand rejected under 35 USC §102 inter alia, over Kitada. The fact of the matter is, however, that Kitada neither teaches or suggests Applicant's claimed invention as set forth in Claims 15-18, because Kitada does not teach operation of an internal combustion engine in a hybrid electric vehicle with alternating cylinders to control either temperature build or the operating temperature of the engine in the event that the battery charge is low and the engine temperature is high, as compared with thresholds for these variables. Stated another way, Applicant's system will not shut off the engine if the battery state of charge is less than a threshold amount, regardless of the engine temperature. Instead, the engine is run on alternating cylinders to keep the engine from failing due to excessive temperature. In contrast, Kitada shuts the engine off if a maximum temperature is reached. As a result, each of the claims now in this case, i.e. Claims 15-18, is believed to be allowable and should be passed to issue. Such action is earnestly solicited.

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CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being faxed to Examiner Joseph Waks at facsimile # (703) 746-4176 of the U.S. Patents & Trademark Office, Washington, D.C. 20231, on this 20th day of November, 2002.



Daphne Poh

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